

II. REMARKS

Claims 19-23 and 26-39 are pending. The Applicants' attorney has amended claims 19-23, 26, and 30-34 and has cancelled claims 24-25 without prejudice or disclaimer. In view of the following, all of the currently pending claims are in condition for allowance, and, therefore, the Applicants' attorney requests the Examiner to withdraw all of the outstanding rejections. **However, if after considering this response the Examiner does not allow all the claims, the Applicant's attorney requests that the Examiner contact him to schedule a telephone interview to further the prosecution of the application.**

Rejection of Claims 19-30 and 34 Under 35 U.S.C. § 102(b) as Being Anticipated By U.S. 2001/0005616 to Kim

Claim 19

Claim 19 as amended recites a memory cell having a floating gate.

For example, referring to FIGS. 14-15 and paragraphs 23-24 of the patent application, a memory cell 44 has a floating gate 44a.

In contrast, Kim does not disclose a memory cell having a floating gate.

Claims 20-23

These claims are patentable by virtue of their respective dependencies from claim 19.

Claim 26

Claim 26 as amended is patentable for reasons similar to those discussed above in support of the patentability of claim 19.

Claims 27-30

These claims are patentable by virtue of their respective dependencies from claim 26.

Claim 34

Claim 34 as amended recites an isolation region disposed in a substrate and defining a recess that is bounded by the isolation region on at least two sides.

For example, referring to FIGS. 10, 14, and 15 and paragraphs 23-24 of the patent application, an isolation region 27 is disposed in a substrate 21 and defines a recess 33 (FIG. 10) that is bounded by the isolation region on two sides.

In contrast, none of Kim's isolation regions 306 or 408 define a recess that is bounded by the isolation region on at least two sides. For example, referring, *e.g.*, to FIG. 4B, although the leftmost isolation region 408a defines a recess between the leftmost isolation region and a center isolation region 408a, this recess is bounded by the leftmost isolation region on only one side (the left side), and not on at least two sides as recited in claim 34.

Rejection of Claims 19, 21, and 26-39 Under 35 U.S.C. § 102(b) as Being Anticipated By U.S. 6,403,421 to Ikeda

Claim 19

Claim 19 as amended recites a pair of insulation structures each having a respective projecting portion, the projecting portions defining a recess over a portion of an active area of a substrate and over a portion of at least one of the insulation structures.

For example, referring to the centers of FIGS. 14-15 and paragraphs 23-24 of the patent application, a pair of insulating structures 27 each has a respective projecting portion. The projecting portions define a recess 34 (FIG. 10) over a portion of the active

area 25 of a substrate 21 and over respective portions of the structures 27 adjacent the projecting portions.

In contrast, Ikeda does not disclose insulating structures having projecting portions that define a recess over an active area and over a portion of at least one of the insulating structures. Referring, e.g., to FIG. 22a, although an adjacent pair of Ikeda's isolating structures 24a define a recess over an active area in a substrate 10, the recess is not over a portion of at least one of the structures 24a as recited in claim 19. That is, the recess is bounded by the inner sides of the isolating structures 24a, and thus is not over a portion of at least one of the structures 24a.

Claim 20

This claim is patentable by virtue of its respective dependency from claim 19.

Claim 21

Unlike the floating gate recited in claim 21 (e.g., floating gate 44a in FIG. 14 of the patent application), Ikeda's floating gate 33 (e.g., FIG. 22A) extends above the projecting portions of the isolating structures 24a.

Claim 22

Unlike the floating gate recited in claim 21 (e.g., floating gate 44a in FIG. 14 of the patent application), Ikeda's floating gate 33 (e.g., FIG. 22A) extends laterally beyond the projecting portions of the isolating structures 24a.

Claim 23

Unlike the floating gate recited in claim 21 (e.g., floating gate 44a in FIG. 14 of the patent application), the surface of Ikeda's floating gate 33 (e.g., FIG. 22A) facing the control gate 31 is not entirely planar.

Claim 26

Claim 26 as amended recites first and second insulators defining a recess over a portion of an active region, and a floating gate disposed in the recess but not extending beyond the recess in a dimension parallel to a surface of the active region.

For example, referring to FIG. 14 of the patent application, the floating gate 44a does not extend beyond the recess 34 (FIG. 10) in a dimension parallel to the surface of the active region 25.

In contrast, referring, e.g., to FIG. 22A, Ikeda's floating gate 33 does extend beyond the recess between adjacent isolating structures 24a in a dimension parallel to the surface of the active region in the substrate 10.

Claims 27-28

These claims are patentable by virtue of their respective dependencies from claim 26.

Claim 29

Unlike the first and second insulators recited in claim 29 (e.g., the insulators 27 in FIG. 14 of the patent application), adjacent pairs of Ikeda's isolating structures 24a (e.g., FIG. 22A) do not define a recess over respective portions of both the isolating structures.

Claim 30

Claim 30 is patentable by virtue of its dependency from claim 26.

Claim 31

Unlike the floating gate recited in claim 31 (e.g., the floating gate 44a of FIG. 14 of

the patent application), Ikeda's floating gate 33 (e.g., FIG. 22A) extends above the isolating structures 24a.

Claim 32

Unlike the first and second insulators recited in claim 32 (e.g., insulators 27 in FIG. 14 of the patent application), adjacent pairs of Ikeda's isolating structures 24a (e.g., FIG. 22A) do not define a recess over at least one of the isolating structures.

Claim 33

Claim 33 is patentable by virtue of its dependency from claim 26.

Claim 34

Claim 34 as amended recites an isolation region disposed in a substrate and defining a recess that is bounded by the isolation region on at least two sides, and a conductor disposed in the recess.

For example, referring to FIGS. 10, 14, and 15 and paragraphs 23-24 of the patent application, an isolation region 27 is disposed in a substrate 21 and defines a recess 33 (FIG. 10) that is bounded by the first isolation region on at least two sides. Conductors 40 and 41a are disposed in respective recesses 33.

In contrast, referring, e.g., to FIGS. 22B and 22C, there are no conductors disposed in Ikeda's indentations D.

Claims 35-39

These claims are patentable by virtue of their dependencies from claim 34.

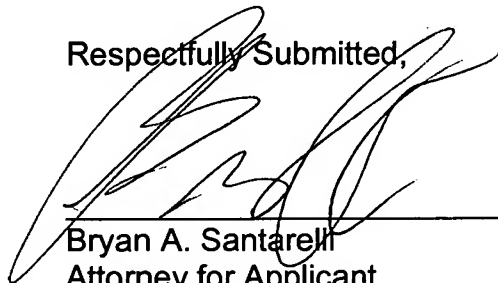
Conclusion

In light of the foregoing, claims 27-29 and 35-39 as previously pending and claims 19-23, 26, and 30-34 as amended are in condition for allowance, which is respectfully requested.

In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

DATED this 8th day of May 2006.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'B. Santarelli', is written over a horizontal line.

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